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Attorneys for Defendant, Basil Daniel**

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Comes now, Defendant Basil Daniel, by and through his attorneys of record, and moves this court for an order to correct the final Pre-sentence Investigation Report issued in this case. Mr. Daniel asks that Paragraph 16 of the final report (revision date December 10, 2010) be corrected so that it reads:

According to the Federal Bureau of Investigation, the cocaine weighed 8.4 kilograms. Fussell was read his rights and consented to be interviewed. Fussell admitted that he was paid \$50,000, by Daniel, to deliver the cocaine. Leone was read his rights and consented to be interviewed. Leone admitted that he was paid \$5,000 for his participation in the drug conspiracy. Francis was read his rights and consented to be interviewed. Francis admitted his participation in the conspiracy and stated that he hoped to make money from the drug transaction.

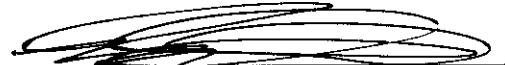
This revised paragraph corrects the name of co-defendant Brad Fussell and removes all reference to the handgun possessed by co-defendant Leone. These changes were inadvertently

1 excluded from the requests made by Mr. Daniel during the December 10, 2010, sentencing hearing,
2 but they are in keeping with the spirit of those requests and with the court's order for corrections to
3 the report. For those reasons, Mr. Daniel now asks that the court order that these additional changes
4 be made.
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6 In light of the court's rulings on similar issues at the time of sentencing, the government has
7 stated that it will offer no opposition to this motion.

8 **DATED** this 6th day of January, 2011.
9

10 Respectfully submitted,



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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,) Case No.2:10-cr-00365-JCM-PAL
v.)
BASIL DANIEL,)
Defendant.)

ORDER

The matter having come before the court on Defendant Basil Daniel's motion, and good cause appearing, Defendant's request is **GRANTED**.

IT IS ORDERED THAT Paragraph 16 of the Final Presentence Investigation Report (revision date December 10, 2010) be corrected so that it reads:

According to the Federal Bureau of Investigation, the cocaine weighed 8.4 kilograms. Fussell was read his rights and consented to be interviewed. Fussell admitted that he was paid \$50,000, by Daniel, to deliver the cocaine. Leone was read his rights and consented to be interviewed. Leone admitted that he was paid \$5,000 for his participation in the drug conspiracy. Francis was read his rights and consented to be interviewed. Francis admitted his participation in the conspiracy and stated that he hoped to make money from the drug transaction.

This revised paragraph corrects the name of co-defendant Brad Fussell and removes all reference to the handgun possessed by co-defendant Leone.

DATED this 7th day of January, 2011.

James C. Mahan
THE HONORABLE JAMES C. MAHAN

Submitted by:

RICHARD A. SCHONFELD, ESQ.